

Appl. No. 10/002,080
Response dated September 7, 2004
Reply to Office action of May 5, 2004

show complete conception of the invention. The Declaration and supporting drawings were found insufficient to show all the required claim limitations as met by Marschke '325 or '263. As an example, the Examiner found no indication that the drawings of the soft contact roll were intended to be used in a single facer machine.

In a telephone interview with the Examiner on August 5, 2004, the Examiner and applicant's attorney discussed the showing needed to support a complete conception of the invention as claimed. In particular, the need to show that the soft contact roll shown in the drawings which accompanied the prior Rule 131 Declaration are clearly intended to be used on a single facer apparatus was emphasized. Furthermore, if diligence to the date of filing the present application was to be relied on, the Examiner indicated that more evidence to support a showing of diligence would be required. This latter point, however, has become moot in view of the applicants' showing, in the accompanying Supplemental Declaration, of actual reduction to practice prior to the effective date of the Marschke '325 and '263 references.

The Supplemental Declaration of the Inventor under Rule 131 that accompanies this response is believed to overcome the deficiencies in the original declaration. In particular, it explains how the drawings previously submitted show the positioning and operation of the soft contact roll with the large diameter bonding roll in a single facer machine. The bonding roll is actually shown in one of the drawings and both drawings include references clearly indicating that the apparatus shown therein operates on the bonding roll of a single facer.

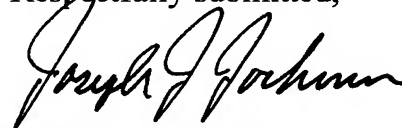
The enclosed Supplemental Declaration also confirms that there was an actual reduction to practice of the complete invention prior to the effective date of the reference. A copy of the written report showing the results of a successful test of the invention on a single facer machine prior to the effective date of Marschke '325 and '263 is included with the Supplemental Declaration.

The enclosed Supplemental Declaration and attachments thereto are believed to now establish conception and actual reduction to practice of the claimed invention prior to October 9, 2001, the effective date of Marschke '325 and '263.

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In view of the foregoing it is respectfully requested that the rejection of claims 1-6, 10, 11 and 13 be withdrawn and those claims allowed along with claims 7-9 indicated as being allowable.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph J. Jochman". The signature is fluid and cursive, with the first name "Joseph" and last name "Jochman" clearly distinguishable.

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